

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 16, No. 25 June 19, 1997 Pages 1027-1058

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Kansas Bureau of Investigation		

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 23 through July 6:

Date	Room	Time	Committee	Agenda
June 23 June 24	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by: Livestock Commissioner, KDHE,
				Secretary of Administration, Board of Examiners in Optometry, Kansas Real Estate Commission, Department of Human Resources, Kansas Racing and Gaming
				Commission, Dept. of Wildlife and Parks and SRS; review of committee's annual report; and review of agency responses to rules and regulations previously reviewed.
June 30	519-S	10:00 a.m.	Legislative Post Audit	Legislative matters.
June 30 July 1	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 019251

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Register Office: Room 233-N, State Capitol (913) 296-3489 Fax (913) 291-3051

Board of Pharmacy

Notice of Meetings

The Kansas State Board of Pharmacy will meet at 8:30 a.m. Friday, June 20, and Saturday, June 21, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. The meetings are open to the public. For additional information, call (913) 296-4056.

Larry C. Froelich Executive Director

Doc. No. 019244

State of Kansas

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, July 21, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq.

W. Newton Male State Bank Commissioner

Doc. No. 019249

State of Kansas

Kansas, Inc.

Request for Proposals

Kansas, Inc. is soliciting responses to a request for proposals (RFP) to engage a contractor to conduct an assessment of pupil academic performance under the school accreditation system in Kansas. The purpose of the assessment is to ascertain through a study of the 48 school districts that began implementation of the school performance accreditation process in the 1991-1992 school year, the extent of change in pupil academic performance under the system and to provide an explanation of the factors that have contributed materially to the changes that have occurred. The assessment was mandated by the Kansas Legislature, and a final report is to be submitted in January 1998.

The RFP can be obtained through written request to Dr. Charles R. Warren, President, Kansas, Inc., 632 S.W. Van Buren, Suite 100, Topeka, 66603, or by calling (913) 296-1460. The RFP also is available by download at http://www.ink.org/public/ks-inc/. The deadline for submission of proposals is 5 p.m. July 25. A contract award is anticipated about August 1, 1997, with a final report due on

November 28, 1997.

Charles R. Warren President

Doc. No. 019254

State of Kansas

Advisory Committee on Hispanic Affairs

Notice of Meeting

The Kansas Advisory Committee on Hispanic Affairs, an entity within the Kansas Department of Human Resources, will meet from 10 a.m. to noon Saturday, June 21, at the Plaza Inn, 1911 E. Kansas Ave., Garden City. The primary purpose of the meeting will be to review the committee's accomplishments for the year, share new ideas for the future, and participate in the American GI Forum state conference. The public is invited to attend.

Wayne L. Franklin Secretary of Human Resources

Doc. No. 019266

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the renovation of Cedar Crest, the Governor's residence. The primary focus of work will be the replacement of plumbing, HVAC and electrical services; removal of lead paint and asbestos; replacement of windows; and cutting and patching to allow the replacement of the systems. Attention will be given to preserving the historic character of the house, which is on the historic register. Interested firms should display experience with preservation of historic structures and be creative and resourceful in designing systems that will fit existing available spaces, yet be economical. The total project budget is \$1,000,000.

For information regarding the scope of services, contact Thaine Hoffman, Director of Architectural Services, (913)

233-9367, ext. 203.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. Monday, July 7.

Thaine Hoffman, AIA Director, Division of Architectural Services

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

Clay County Register of Deeds

Virginia G. Link, 1511 Quail Road, Clay Center, 67432. Term expires when a successor is elected and qualifies according to law. Succeeds Beverly Carlson.

Greeley County Commissioner, 3rd District

Marjorie Hornbaker, HCR, Box 51, Tribune, 67879. Term expires when a successor is elected and qualifies according to law. Succeeds Dean Hornbaker.

Kansas Commission for the Deaf and Hard of Hearing

Jason P. Curry, Building 11, Apt. 5, Stouffer Place, Lawrence, 66044. Term expires April 29, 2000. Succeeds Diane M. Kuhn.

Pearl J. Edgar, 2231 Bullinger St., Wichita, 67204. Term expires April 29, 1999. Reappointment.

William Fansler, 1940 S.W. Bowman Court, Topeka, 66604. Term expires April 29, 1999. Reappointment.

Larry E. Marston, University of Kansas, 3031 Dole, Lawrence, 66045. Term expires April 29, 2000. Succeeds James A. Wise.

Roberta J. Mog, 1195 5th Road, Wilson, 67490. Term expires April 29, 1999. Reappointment.

Alicia R. Troike, Route 1, Box 20, Hepler, 66746. Term expires April 29, 2000. Succeeds Sara H. Sack.

Cynthia Weight, 3427 E. Bayley, Wichita, 67218. Term expires April 29, 2000. Succeeds Tracy Lynn Kinder-knecht.

John H. Zobel, 1121 N.W. 62nd, Topeka, 66618. Term expires April 29, 2000. Succeeds E. Basil Kessler.

Kansas Water Authority

Roger L. Boyd, Professor of Biology, Director of Natural Areas, Baker University, P.O. Box 65, Baldwin City, 66006. Term expires January 15, 2001. Succeeds Kenneth Maechtlen.

Richard A. Porter, 2429 Murray Court, El Dorado, 67042. Term expires January 15, 2001. Succeeds Douglas Cruce.

Judith M. Willingham, 324 Fordham, Manhattan, 66502. Term expires January 15, 2000. Reappointment.

Ron Thornburgh Secretary of State

Doc. No. 019240

State of Kansas

Department of Human Resources

Notice of Maximum and Minimum Weekly Unemployment Benefit Amounts

The maximum and minimum weekly benefit amounts payable with respect to new unemployment insurance claims filed on or after July 1, 1997, and before July 1, 1998, are respectively \$281 and \$70. I hereby certify these maximum and minimum weekly benefit amounts have been computed in accordance with K.S.A. 44-704 of the Kansas Employment Security Law, pursuant to which this announcement is published.

Wayne L. Franklin Secretary of Human Resources

Doc. No. 019265

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the construction of a new area office and shop building in Hays for the Kansas Department of Transportation. The proposed building would require approximately 14,000 square feet and include a five-stall shop (5,000 square feet), maintenance offices and stockroom (4,500 square feet), and construction office including a conference room that will be used by both the Kansas Department of Transportation and the Kansas Highway Patrol. Access to roadway, employee and visitor parking, storage areas for vehicles, equipment and materials, and site fencing will be required. The project budget is approximately \$1,600,000.

For information regarding the scope of services, contact Jaci Vogel, Staff Engineer, (913) 296-3576, or Chriss McDiffett, District Three Engineer, (913) 877-3315.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. Monday, July 7.

S 21 45

Thaine Hoffman, AIA Director, Division of Architectural Services

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, June 30, 1997

32554

Statewide—Packaging items

6193

Kansas Highway Patrol—Wheel load scales

6194

Hutchinson Correctional Facility—Control systems design

6195

Hutchinson Correctional Facility—Wood doors, frames and hardware

6196

Larned Correctional Mental Health Facility—CCD cameras and materials

6197

Wichita State University—Furnish and install aluminum doors

Wednesday, July 2, 1997

32552

Lansing Correctional Facility—Painting supplies (brushes and rollers)

Thursday, July 3, 1997

A-8230

Kansas State University—Ramp installation, Cardwell Hall

32528

Kansas Correctional Industries—Mineral spirite and calcium carbonate

32537

University of Kansas—Silicon Graphics computer equipment

6198

Kansas State University—Passenger van

Monday, July 7, 1997

Department of Administration, Division of Facilities Management—Phase I, Environmental Site Assessment, Topeka

Tuesday, July 8, 1997

A-8144(a)

Kansas State University—Elevator and stair tower addition, various buildings

A-8276

Kansas State University—Milling and overlay, Mid-Campus Drive

Thursday, July 10, 1997

A-7988

Wichita State University—Building remodel, Engineering Building

John T. Houlihan Director of Purchases State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Kansas Department of Social and Rehabilitation Services/Children and Family Services announces the release of a request for proposal for new family support programs. Family support programs are community-based, family-centered and family-driven support systems, composed of a collaborative network of local agencies, advocacy groups and volunteers.

A pre-bid teleconference is scheduled from 10 a.m. to noon Wednesday, June 25, at area SRS offices. Completed proposals must be received by 5 p.m. Friday, July 25, at Mainstream, Inc., 3600 S.W. Burlingame, Topeka, 66611.

Organizations interested in receiving a request for proposal should contact Mainstream, Inc. at (913) 266-6422, fax (913) 266-2113.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 019241

State of Kansas

Social and Rehabilitation Services

Public Notice

The methods and standards for setting upper payment limits and rates for Medicaid nursing facilities (NFs) and NFs-mental health (MH) were reviewed and will not be changed when setting rates for services beginning July 1, 1997. These methods and standards will now utilize the calendar year 1996 Nursing Facility Financial and Statistical Reports. The upper payment limits for the cost centers will be set using the following:

Administration 115% of the median 130% of the median 130% of the median 130% of the median 125% of the median 125% of the median for a Case Mix Index of One

The method of inflating costs for upper payment limits and rates, the percentile used for setting the administrator, co-administrator, owner and related party upper payment limit and the percentiles used for the incentive factor ranges will remain the same as those used for state fiscal year 1997. The expected estimated annual aggregate increase in NF and NF-MH rates in state fiscal year 1998 is 7.2 percent.

A copy of the Kansas Medicaid State Plan is available by contacting local, area or central SRS offices. Comments may be sent to and reviewed at the Adult and Medical Services Commission, Nursing Facility Program, 6th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1570.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 019264

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. July 8 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (913) 271-3225 or 271-3151. The presiding officer for these matters is Dan Riley, Assistant General Counsel, (913) 271-3159. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Be-

fore the Commission."

Application for Certificate of Public Service:

Baier Farms & Livestock Transfer, Inc., 2910 Patty Place, Garden City, KS 67846; MC ID No. 154099; William Barker, Attorney; General commodities (except hazardous materials and household goods).

Dwayne E. Carpenter, Sr., dba Dwayne & Son's Towing & Recovery, 4833 Cleveland Ave., Kansas City, KS 66104; MC ID No. 154100; Wrecked, disabled, repos-

sessed and replacement vehicles.

Kirk Earl Dickson, 2902 Acres Road, Apt. 212, Hutchinson, KS 66502; MC ID No. 154101; General commoditied (except hazardous materials and household goods).

Rex D. Larrison, dba Quality Towing, 4216 E. 6th, Holton, KS 66456; MC ID No. 154098; Wrecked, disabled, re-

possessed and replacement vehicles.

Little Creek Trucking, Inc., 13457 S.W. State Road, Benton, KS 67017; MC ID No. 154704; William Barker, Attorney; General commodities (except hazardous materials and household goods).

Southwest Transports, Inc., 104½ Chauteau St., Sublette, KS 67877; MC ID No. 154096; General commodities

(except household goods).

Transway, Inc., 2604 Š.E. Nottingham Drive, Lee's Summit, MO 64063; MC ID No. 154462; General commodities (except household goods and hazardous materials).

R & C Welding & Fabrication, Inc., 880 E. Country Club Road, Gering, NE 69341; MC ID No. 154103; William Barker, Attorney; General commodities (except hazardous materials and household goods).

Jack C. Edwards, dba Edwards Construction and Farm, 1236 1600 Road, Wilsey, KS 66873; MC ID No. 154104; General commodities (except household goods and

hazardous materials).

Daryl LinKugel, dba Daryl LinKugel Trucking, 1356 Granite Road, Marysville, KS 66508; MC ID No. 154738; General commodities (except household goods and hazardous materials).

Application for Certificate of Convenience and Necessity:

Jack Babst, dba Babst Ranch Trucking, Box 146, Winona, KS 67764; MC ID No. 154097; General commodities.

Randolph Carter Enterprises, Inc., 11469 W. 335th, Paola, KS 66071; MC ID No. 154102; Frank Rebori, Attorney; General commodities.

Application for Name Change of Certificate of Public Service:

Dave's Mobile Home Service & Transporting, Inc., 9926 W. 95th South, Clearwater, KS 67026-9083; MC ID No. 12495, to: Custom Sets & Transporting, Inc., 9926 W. 95th South, Clearwater, KS 67026-9083; William Barker, Attorney; Manufactured housing units (mobile homes, house trailers, pre-fab homes), transportation equipment, materials and supplies.

Leaseway Dedicated Logistics, Inc., Road 10-Green Hills, Reading, PA 19603-0563; MC ID No. 116744, to: Penske Logistics, Inc., Road 10-Green Hills, Reading, PA 19603-0563; General commodities (except household

goods).

Application for Transfer of Certificate of Public Service:

Todd W. Gillmore, dba Manhattan Wrecker Service, 1300 Kretschmer Drive, Manhattan, KS 66502 MC ID No. 100391, to: Manhattan Wrecker Service, Inc., 1300 Kretschmer Drive, Manhattan, KS 66502; William Barker, Attorney; Wrecked, disabled, repossessed and replacement vehicles.

Michael A. Schleeper, dba Mike's Pipe Inspection, 417 Oak, Liberal, KS 67901; MC ID No. 140100, to: Mike's Pipe Inspection, Inc., 417 Oak, Liberal, KS 67901; Oilfield equipment, materials, supplies, tools and machin-

ery

Douglas B. Thiessen, dba Thiessen Trucking, Route 2, Box 114, Beloit, KS 67420; MC ID No. 148825, to: Douglas B. Thiessen and James B. Beam, dba Thiessen & Beam Trucking LLC, Route 2, Box 114, Beloit, KS 67420; General commodities (except household goods, Classes A and B explosives and hazardous materials)

and B explosives and hazardous materials).

Ted Fogle, 2598 U.S. 59, Ottawa, KS 66067; MC ID No. 132057, to: T K Enterprises, Inc., 2598 U.S. 59, Ottawa, KS 66067; Grain, hay, feed, feed ingredients, salt, fertilizer (restricted, however, to transport no anhydrous ammonia or hazardous commodities or materials except ammonium nitrate), seeds, building and construction materials, fencing materials, machinery, coal, coke and pet food.

Application for Abandonment of Certificate of Public Service:

Fairleigh Corporation, 811 E. 1st, Scott City, KS 67871; MC ID No. 116027.

Gary L. and Rachel A. Johnson, dba Daykin Lumber Co., P.O. Box 185, Daykin, NE 68338-0185; MC ID No. 118147.

> Don Carlile Administrator Transportation Division

Kansas Guardianship Program

Notice of Meeting

The Kansas Guardianship Program will conduct its governing board meeting from 3 to 5 p.m. Thursday, June 26, at the Mercantile Bank, 800 S.W. Jackson, Suite 1500, Topeka. For more information, call (913) 587-8555.

Jean Krahn Executive Director

Doc. No. 019267

(Published in the Kansas Register June 19, 1997.)

Summary Notice of Bond Sale \$5,447,000 Unified School District No. 400 McPherson County, Kansas (Smoky Valley) General Obligation School Building Bonds Series 1997

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated June 9, 1997, sealed bids will be received by the clerk of Unified School District No. 400, McPherson County, Kansas (Smoky Valley) (the issuer), on behalf of the governing body at the office of the Board of Education, 126 S. Main, Lindsborg, KS 67456, at noon June 26, 1997, for the purchase of \$5,447,000 principal amount of General Obligation School Building Bonds, Series 1997. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$7,000. The bonds will be dated June 15, 1997, and will become due on September 1 in the years as follows:

Year	Principal Amount
1999	\$102,000
2000	155,000
2001	170,000
2002	185,000
2003	205,000
2004	225,000
2005	245,000
2006	260,000
2007	280,000
2008	295,000
2009	320,000
2010	345,000
2011	370,000
2012	395,000
2013	425,000
2014	455,000
2015	490,000
2016	525,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1998.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$108,940 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before July 22, 1997, at DTC or such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1996 is \$36,966,893. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$11,314,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 227-2981, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, Attention: Stephen E. Shogren, (316) 681-3123.

Dated June 9, 1997.

Unified School District No. 400 McPherson County, Kansas (Smoky Valley)

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1996 Supp. 75-4210. These rates and their uses are defined in K.S.A. 1996 Supp. 12-1675(b)(c)(d), and K.S.A. 1996 Supp. 75-4201(l) and 75-4209(a)(1)(B).

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Term	Rate
1-89 days	5.55%
3 months	5.25%
6 months	5.48%
9 months	5.62%
12 months	5.72%
18 months	5.88%
24 months	6.00%

William E. Lewis Chairman

Doc. No. 019239

(Published in the Kansas Register June 19, 1997.)

Summary Notice of Sale City of Ottawa, Kansas \$525,000 General Obligation Bonds Series 1997

(General obligations payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of sale and preliminary official statement dated July 2, 1997, sealed bids will be received by the city clerk of the City of Ottawa, Kansas, on behalf of the governing body at the City Hall, 101 S. Hickory St., Ottawa, KS 66067, until 10 a.m. Wednesday, July 16, 1997, for the purchase of \$525,000 principal amount of General Obligation Bonds, Series 1997. No bid of less than 100 percent of the principal amount of the bonds and accrued interest to the date of delivery for the bonds will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 1997, and will become due on March 1 in the years as follows:

General Obligation Bonds Series 1997

Year	Principal Amount
1998	\$40,000
1999	45,000
2000	45,000
2001	45,000
2002	50,000
2003	55,000
2004	55,000

2005	60,000
2006	65,000
2007	65,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1998. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of 2 percent of the principal amount of the applicable series of bonds.

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the applicable successful bidder on or about July 29, 1997, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1996 is \$47,472,044. The total general obligation indebtedness of the city as of the date of bonds, including the bonds being sold, is \$4,881,000. Temporary notes in the amount of \$500,000 will be redeemed using the proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan, Riley, Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated June 25, 1997.

City of Ottawa, Kansas By Scott Bird City Hall 101 S. Hickory St. Ottawa, KS 66067 (913) 229-3615

(Published in the Kansas Register June 19, 1997.)

Statutory Notice of Bond Sale City of Kansas City, Kansas \$10,700,000

General Obligation Improvement Bonds Series 1997

(General obligations payable from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the director of finance/budget director of the City of Kansas City, Kansas, at the Municipal Office Building, One McDowell Plaza, Suite 350, 701 N. 7th, Kansas City, KS 66101, until 11 a.m. June 26, 1997, for the purchase of the city's \$10,700,000 principal amount of General Obligation Improvement Bonds, Series 1997. All bids will be publicly opened and read at said time and place and will be acted upon the same day by the director of finance/budget director pursuant to authorization by the governing body. No oral or auction bids will be considered. No bid of less than the par value of the bonds and accrued interest thereon to the date of delivery of the bonds will be considered.

Bond Details

The bonds will be in certificated, book entry or any other form acceptable to both the city and the successful bidder and authorized by state and federal law. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof; will be dated July 1, 1997; will be issued in the principal amount of \$10,700,000; and will become due serially on April 1 and October 1 in each of the years as follows:

Maturity Schedule

Maturity Schedule			
Maturity	Principal Amount		
October 1, 1998	\$ 35,000		
April 1, 1999	155,000		
October 1, 1999	160,000		
April 1, 2000	165,000		
October 1, 2000	180,000		
April 1, 2001	180,000		
October 1, 2001	185,000		
April 1, 2002	190,000		
October 1, 2002	195,000		
April 1, 2003	195,000		
October 1, 2003	210,000		
April 1, 2004	210,000		
October 1, 2004	220,000		
April 1, 2005	220,000		
October 1, 2005	235,000		
April 1, 2006	240,000		
October 1, 2006	240,000		
April 1, 2007	250,000		
October 1, 2007	260,000		
April 1, 2008	260,000		
October 1, 2008	270,000		
April 1, 2009	275,000		
October 1, 2009	290,000		
April 1, 2010	295,000		
October 1, 2010	310,000		
April 1, 2011	315,000		
October 1, 2011	315,000		
April 1, 2012	330,000		
October 1, 2012	340,000		

April 1, 2013	345,000
October 1, 2013	360,000
April 1, 2014	370,000
October 1, 2014	375,000
April 1, 2015	395,000
October 1, 2015	400,000
April 1, 2016	415,000
October 1, 2016	425,000
April 1, 2017	440,000
October 1, 2017	450,000
OCCOUNTY -/	and the second s

The bonds will bear interest from their date at rates to be determined when the bonds are sold as herein provided, which interest will be payable semiannually on April 1 and October 1 in each year, commencing October 1, 1997.

Delivery and Payment

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost to the bidder on or about July 22, 1997, at such bank or trust company in the continental United States as may be specified by the successful bidder and is acceptable to the city.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check or financial surety bond in the amount of \$214,000 must accompany each bid for the bonds.

Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of McDowell, Rice, Smith & Gaar, a Professional Corporation, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the city as of December 31, 1996, is \$666,243,723. The total general obligation bonded indebtedness, including \$2,275,000 in temporary notes being retired with proceeds of the bonds, of the city as of July 1, 1997, the date of the bonds, including the bonds, is \$123,718,837.

Additional Information

A complete notice of bond sale, preliminary official statement and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the director of finance/budget director, (913) 573-5270; from Springsted Public Finance, the city's financial advisor, (612) 223-3000; or from bond counsel, McDowell, Rice, Smith & Gaar, (913) 338-5400.

City of Kansas City, Kansas Nancy L. Zielke Director of Finance/Budget Director 701 N. 7th Kansas City, KS 66101 (913) 573-5270

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding issuance of authorizations to operate under the general Class I air quality operating permit for natural gas compressor stations. Authorizations to operate under the general Class I operating permit have been issued in accordance with the provisions of K.A.R. 28-19-400 et seq.

A copy of each permit application, authorization, and all supporting nonconfidential documentation is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. Information also is available at the KDHE district office indicated for each facility. To obtain or review the permit, authorization and supporting documentation, contact Connie Carreno, (913) 296-6422, at the KDHE central office, or the indicated district representative. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding an authorization to Connie Carreno, Bureau of Air and Radiation, KDHE, Building 283, Forbes Field, Topeka, 66620.

A list of all major sources within the state which are authorized to operate under the terms of the general Class I operating permit will be maintained at the Topeka KDHE offices.

Authorizations issued during the week of June 2, 1997:

Company:

Compressor Station: Source ID No.:

Location:

KDHE District Rep.:

Rep. Location:

Enron Finney County #2 Station 0550024 S15, T25S, R34W, Finney County Wayne Neese, (316) 225-3731 Southwest District Office, Dodge City

Enron Stevens County #3 Station 1890032 S3, T34S, R38W, Stevens County Wayne Neese, (316) 225-3731 Southwest District Office, Dodge City

Vastar Resources Grant County Compressor Facility 0670034 S17, T28S, R38W, Grant County Wayne Neese, (316) 225-3731 Southwest District Office, Dodge City

Peoples Natural Gas Sterling Station 1590006 S25, T21S, R8W, Rice County Beth Rowlands, (913) 827-9639 North Central District Office, Salina

Peoples Natural Gas
Trenton Station
0950025
S35, T29S, R7W, Kingman County
David Butler, (316) 337-6020
South Central District Office, Wichita

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 019252

(Published in the Kansas Register June 19, 1997.)

Summary Notice of Bond Sale \$470,000 City of Kechi, Kansas General Obligation Internal Improvement Bonds (General obligation bonds payable from

(General obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated June 12, 1997, of the City of Kechi, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series A, 1997, hereinafter described, sealed, written bids shall be received at the office of the city clerk at City Hall, 200 W. Kechi Road, Kechi, Kansas, until 7 p.m. Thursday, June 26, 1997, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall thereafter be immediately considered and acted upon by the governing body of the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the

bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for the public bidding on these bonds, and which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$470,000 and shall bear a dated date of July 1, 1997. The bonds shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 in each year, commencing

March 1, 1999, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount		Maturity Date
\$25,000	A Company of the Comp	2000
25,000		2001
25,000		2002
25,000		2003
30,000		2004
30,000		2005
30,000		2006
35.000		2007
35,000		2008
40,000		2009
40,000		2010
40,000		2011
45,000		2012
45,000		2013

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city is obligated to levy special assessment taxes in certain authorized amounts upon certain benefitted properties and ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon. (Reference is made to the official notice of bond sale and the preliminary official statement for a complete discussion of security for the bonds.)

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Monday, July 14, 1997, at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's current assessed valuation is as follows:

Assessed Valuation of Taxable Tangible	
Property	\$3,936,340
Motor Vehicle Valuation	692,838

Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations

\$4,629,178

The city's outstanding general obligation bonded indebtedness at July 1, 1997, including the bonds described herein, will be in the principal amount of \$1,270,766. This amount does not include \$450,000 aggregate principal amount of outstanding temporary improvement notes which will be redeemed and paid from the proceeds of the bonds described herein and other available funds.

Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the city's financial advisor, J. O. Davidson & Associates, Inc., 245 N. Waco, Suite 525, Wichita, KS 67202, (316) 265-9411.

Laura Hill, City Clerk City Hall 200 W. Kechi Road P.O. Box 88 Kechi, KS 67067 (316) 744-9287

Office of Judicial Administration **Court of Appeals**

No Oral Argument Docket

(The following cases have recently been submitted to a panel of judges and an opinion on each will be forthcoming.)

Before Lewis, P.J.; Rulon and Gernon, JJ.

Case No.	Case Name	April 25, 1997	
77,437	State of Kansas, Appellee,	Attorney District Attorney	County
	$oldsymbol{ar{v}_{oldsymbol{i}}}$	Attorney General	Shawnee
77 970	Harry L. Taylor, Appellant.	Ryan Kipling Elliot	
77,872	State of Kansas, Appellee,	County Attorney	Reno
	Khan Hung Hguyen, Appellant.	Attorney General James Brent Getty	
77,466	State of Kansas, Appellee,	County Attorney	
	$oldsymbol{v}_{oldsymbol{v}}$	Attorney General	Finney
77 999	Bill Marcus Dianda, Appellant.	Ryan Kipling Elliot	
77,888	State of Kansas, Appellee,	District Attorney	Johnson
	Tameca A. Smith, Appellant.	Attorney General	
77,671	State of Kansas, Appellee,	Ryan Kipling Elliott	
	$\mathbf{v}_{ullet}(\mathbf{v}_{ullet})$	District Attorney Attorney General	Sedgwick
DD 464	James L. Rose, Appellant.	Ryan Kipling Elliott	
77,461	Barry L. Wesley, Appellant,	James Brent Getty	Sedgwick
	State of Kansas, Appellee,	Attorney General	
77,046	State of Kansas, Appellee,	District Attorney	
	$oldsymbol{ au}_{oldsymbol{ au}}$	County Attorney Attorney General	Reno
	Anthony Logan, Appellant.	Lisa Nathanson	
76,077	State of Kansas, Appellee,	District Attorney	Sedgwick
	v. Johnny D. McClung, Appellant.	Attorney General	ocugwick
75,946	State of Kansas, Appellee,	Edward G. Collister, Jr.	
75,947	v.	District Attorney	Sedgwick
	Previn J. Araujo, Appellant.	Attorney General Rick Kittel	
76,424	State of Kansas, Appellee,	County Attorney	Pinn av
76,425	Walton I oo Dawahaa A	Attorney General	Finney
74,738	Walter Lee Donaho, Appellant.	Thomas Jacquinot	
74,742	State of Kansas, Appellee,	County Attorney	Ford
et di english	Mark B. Calvin, Appellant.	Attorney General Melody Koger	
76,333	State of Kansas, Appellee,	District Attorney	
	지하는 경험이 하는 Pro V. 시한속에 가득하다니다.	Attorney General	Wyandotte
76,694	Stanley Lee Bissell, Appellant.	Barry G. Albin	
/ U/U74	Dennis Regnier, Appellant,	Debra J. Wilson	Leavenworth
	State of Kansas, Appellee.	Attorney General	
76,189	Wayne Anderson, Appellant,	County Attorney	
		Michael J. Helvey Attorney General	Shawnee
	Charles Simmons, et al., Appellees.	District Attorney	
The second secon		and the control of th	

Before Pierron, P.J.; Royse and Knudson, JJ.

		May 8, 1997	County
Case No.	Case Name	Attorneys Dictariet Attorney	Sedgwick
76,484	State of Kansas, Appellee,	District Attorney Attorney General	
	Jason W. Loux, Appellant.	Jessica Ř. Kunen	
77,300	State of Kansas, Appellee,	District Attorney	Sedgwick
	V.	Attorney General Jessica R. Kunen	
	Cecil E. Walker, Appellant.		
	Before Brazil, (C.J.; Gernon and Pierron, JJ.	
		June 6, 1997 Attorneys	County
Case No.	Case Name William A. Pearson, Appellant,	Lisa Nathanson	Montgomery
77,744	V.	County Attorney	
	State of Kansas, Appellee.	Attorney General	Miami
77,831	State of Kansas, Appellee,	County Attorney Attorney General	Mianu
	v. Ronald Edward Turner, Appellant.	Lisa Nathanson	
77,839	Keith A. Johnson, Appellant,	Lisa Nathanson	Johnson
11,007	、強烈した。 BO v eli (for the least book) .	District Attorney	
	State of Kansas, Appellee.	Attorney General	Finney
77,875	State of Kansas, Appellee,	County Attorney Attorney General	Thutey
77,876	v. Avelino Ortiz, Jr., Appellant.	James Brent Getty	
77,877	State of Kansas, Appellee,	County Attorney	Reno
77,644	V.	Attorney General	
	Terry L. Ewing, Appellant.	James Brent Getty	Reno
77,536	State of Kansas, Appellee,	County Attorney Attorney General	Kello
	v. William J. Downs, Appellant.	Ryan Kipling Elliot	
7777 E A A	George E. Templeton, Appellant,	Ryan Kipling Elliot	Harvey
77,544	V.	County Attorney	
	State of Kansas, Appellee.	Attorney General	Johnson
76,387	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v. Marcus J. Thompson, Appellant.	Edward G. Collister, Jr.	
MM AEC	State of Kansas, Appellee,	County Attorney	Saline
77,456	V.	Attorney General	
	Gene Paul Donley, Appellant.	Ryan Kipling Elliot	Cadamide
77,887	State of Kansas, Appellee,	District Attorney	Sedgwick
	v. Douglas A. Sandoval, Appellant.	Attorney General Lisa Nathanson	
PO 011	State of Kansas, Appellee,	District Attorney	Shawnee
78,011	State of Karisas, Appence, V.	Attorney General	
	Larry D. Conway, Appellant.	James Brent Getty	Llama
77,616	John E. Bronson, Appellant,	Ryan Kipling Elliot	Harvey
	v. State of Kansas, Appellee.	County Attorney Attorney General	
	Before Roy	se P.J.; Elliott and Green, JJ. June 9, 1997	
Case No.	Case Name	June 9, 1997 Attorneys	County
76,038	State of Kansas, Appellee,	District Attorney	Johnson
. 0,000	v. 1	Attorney General	
	Steven K. Harris, Appellant.	Ryan Kipling Elliot	(continued)

1040		Kansas Register	Court of Appeals Dock
77,387	State of Kansas, Appellee,	County Attorney	
	$\mathbf{v}_{oldsymbol{i}}$	Attorney General	Montgomery
77 FAC	Greg Renfro, Appellant.	Lisa Nathanson	
77,596	State of Kansas, Appellee,	District Attorney	Sedgwick
	Michal A. Williams, Appellant.	Attorney General	
77,530	State of Kansas, Appellee,	Ryan Kipling Elliot	
	v.	District Attorney	Wyandotte
and the second	Simuell Madden, Appellant.	Attorney General Ryan Kipling Elliot	
77,482	State of Kansas, Appellee,	County Attorney	
		Attorney General	Harvey
	Scottie E. Wass, Appellant.	James Brent Getty	कर्नुकार कर मेर्नुकार के राज्य
77,044	Carlos A. Checotah, Appellant,	James Brent Getty	Cowley
	State of Kansas, Appellee.	Attorney General	randa a salah s
76,278		County Attorney	
0,270	State of Kansas, Appellee,	County Attorney	Saline Saline
	Craig Ryan Shelton, Appellant.	Attorney General	and the first of the second
6,266	State of Kansas, Appellee,	Rhonda Keylon Levinson	
	v.	District Attorney Attorney General	Sedgwick
	Rocklyn E. Harris, Appellant.	Karlin Gould	医光色素素 医动物管 安装 电流电压 化二二
6,762	Daniel L. Taylor, Appellant,	Hazel Haupt	Johnson
	$oldsymbol{v}_{oldsymbol{v}}$	Attorney General	Joinson
6 E27	State of Kansas, Appellee.	District Attorney	
6,537	Dennis A. Reese, Appellant,	J. Philip Crawford	Wyandotte
	State of Kansas, Appellee.	Attorney General	
6,708	State of Kansas, Appellee,	District Attorney	가 있는 경험을 사용하여 등에 발표할 때문을 통합하다. 사는 것으로 보기를 가는 환자를 통한 것으로 중심한 당신
6,709	V.	District Attorney	Sedgwick
	Darrell D. Wyer, Appellant.	Attorney General James Brent Getty	
7,196	Michael W. VanBuren, Appellant,	Ryan Kipling Elliot	
	V.	Attorney General	Montgomery
T & PROPER	State of Kansas, Appellee.	County Attorney	The state of the s
6,472 6,473	State of Kansas, Appellee,	County Attorney	Barton
6,474	v. John Wilkinson, Appellant.	Attorney General	
7,785	State of Kansas, Appellee,	Joel B. Jackson	
	v.	County Attorney	Marshall
	William Gary Edwards II, Appellant	Attorney General	가는 가능한 가족에 하고 있는 경기에 가는 가능하다. 그 것 같다. 1일 하는 것이 기를 보고 있어요. 현실 기를 가는 것 같다. 그는 것 같다.
7,542	State of Kansas, Appellee,		
	$oldsymbol{v}$. $oldsymbol{v}$	District Attorney Attorney General	Sedgwick
	Dion M. Glenn, Appellant.	Lisa Nathanson	
,480	Donald B. Dollar, Appellant,	Lisa Nathanson	Lyon
	V. State of Vances A - 1	Attorney General	
a profession	State of Kansas, Appellee.	County Attorney	

Doc. No. 019247

Carol G. Green Clerk of the Appellate Courts

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-97-140/146

Name and Address	Legal	Receiving
of Applicant	Description	Water
Mary Moore	NW/4, Sec. 11,	Marais des
Route 1, Box 14	T25S, R22E,	Cygnes River
Uniontown, KS 66779	Bourbon County	Basin

Kansas Permit No. A-MCBB-K001

This is a renewal of an existing permit for a 440 adult dog kennel (approximately 15 animal units).

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Richard Buessing	SW/4, Sec. 23,	Big Blue River
1087 30th Road	T2S, R10E,	Basin
Axtell KS 66403	Marshall County	and the second

Kansas Permit No. A-BBMS-M014

This is a new facility for 150 head (210 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.5 acre inch per acre per year and solids shall be applied at not greater than 14 ton per acre.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Ron Cheyney	NE/4, Sec. 13,	Neosho River
d/b/a J and R Farms	T28S, R18E,	Basin
8655 170th Road Chanute, KS 66720	Neosho County	

Kansas Permit No. A-NENO-S020

This is a renewal of a permit for an existing facility for 1,100 head (440 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements. Compliance Schedule: None, existing controls adequate.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Kingsbury Farm	NW/4, Sec. 34, T3S,	Solomon River
Marty L. Kingsbury	R17W, Phillips	Basin
Route 2, Box 205 Smith Center, KS 66967	County	
TO THE A CODE	LIGOS Fodoral Po	rmit No. KS-00939

Kansas Permit No. A-SOPL-H005 Federal Permit No. KS-0093912
This is an existing expansion facility for 3,000 head (1,200 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes.

Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit:

Name and Address	Legal	Receiving		
of Applicant	Description	Water		
Good Farms, Inc.	SE/4, Sec. 8, T7S,	Big Blue River		
Craig Good	R8E, Pottawatomie	Basin		
17690 Oak Grove Road Olsburg, KS 66520	County			

Kansas Permit No. A-BBPT-S005

This is an existing facility for 975 head (230 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 2 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Name and Address	Legal	Receiving		
of Applicant	Description	Water		
Ivan Iones	SW/4, Sec. 17, T6S,	Big Blue River		
21860 Four Mile Road	R8E, Pottawatomie	Basin		
Frankfort, KS 66427	County			

Kansas Permit No. A-BBPT-M003

This is an existing facility for 50 head (70 animal units) of dairy cows. Wastewater Control Facilities: Wastewater will be impounded for sub-

sequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.5 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre. Supplemental feeding of the dairy cattle shall be conducted a minimum of 400 feet away from all tributaries.

Name and Address	Legal	Receiving	
of Applicant	Description	Water	
Liberal Feeders	Sec. 5, T35S, R32W,	Cimarron River	
Route 2, Box 150	Seward County	Basin	
Liberal, KS 67901			

Kansas Permit No. A-CISW-C001 Federal Permit No. KS-0040657 (continued)

This is an expansion facility for 13,500 head (13,500 animal units) of beef

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The modifications to the pollution control system, which serves area B2, detailed in the plans approved by KDHE on April 17, 1997, must be implemented within one year from the date of permit issuance.

The modifications to the pollution control system, which serves areas A2 and B1, detailed in the plans approved by KDHE on April 17, 1997, must be implemented within two years from the date of permit

An in-place pond seepage test shall be conducted on retention structures B2 and D following construction. The tests should accurately determine seepage loss from the structures. The results of the tests must be reported to the department. Depending upon the results of the tests, groundwater monitoring may be required.

Public Notice No. KS-97-093/095

Name and Address of Applicant

Kansas Dept. of Transportation Bureau of Design, 9th Floor Docking State Office Bldg.

Topeka, KS 66612-1568

Waterway

Marais des Cygnes River via Middle

Creek, via Payne Creek

Kansas Permit No. M-MC31-OO02

Federal Permit No. KS0081477

Type of

Discharge

wastewater

Treated domestic

Location: SE14, S34, T17S, R18E, Franklin County Facility Name: Franklin County Rest Area (I-35)

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing domestic wastewater treatment facility. The facility consists of a three-cell lagoon treatment system. The proposed permit contains a schedule of compliance for the owner to obtain the services of a KDHE-certified operator. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant City of Oxford P. O. Box 337 Oxford, KS 67119

Legal Location Arkansas River

Type of Discharge Treated domestic

wastewater

Kansas Permit No. M-AR68-OO01

Federal Permit No. KS0028011

Location: SW1/4, S13, T32S, R2E, Sumner County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing domestic wastewater treatment facility. The facility consists of a two-cell lagoon treatment system. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant Unruh Catering Service Groundwater Remediation Project 111 W. 9th

Legal Location Neosho River via Cottonwood River via Spring

Type of Discharge Treated groundwater

Creek Peabody, KS 66866

Kansas Permit No. I-NE56-PO01

Federal Permit No. KS0093505

Location: SW1/4, S4, T22S, R3E, Marion County

Facility Description: The proposed action is to issue a new permit for operation of a new groundwater remediation project. This is a former gasoline service station. Gasoline and diesel fuel contaminated groundwater is treated by soil vacuum extraction in the unsaturated zone and pumping and treatment of groundwater through an air stripper and granulated carbon filter prior to discharge. Total discharge is about 17,280 gpd. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Public Notice No. KS-PT-97-006

Name and Address Receiving N WOOD OF of Applicant **Facility**

Type of **Discharge**

Deweze Manufacturing, Inc. Harper WWTF Route 2, Box 78

Process water

Harper, KS 67058

Kansas Permit No. P-AR40-OO01

Facility Description: The proposed action is to re-issue an existing pretreatment permit for the above named facility. This facility manufactures hay handling farm equipment, OEM hydraulic kits and commercial mowers. This facility utilizes a conversion coating (phosphating) operation to prepare steel for painting. Some paint stripping does occur very infrequently, but no stripping wastes are discharged to the city sewer. The permit limits are pursuant to state and federal pretreatment requirements.

Public Notice No. KS-EG-97-013

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a draft permit has been prepared modifying the existing permit to allow a one time disposal project of limited duration for nonhazardous wastewater generated at the permittee's Port of Catoosa, Oklahoma, waste oil recycling facility, for Class I nonhazardous industrial waste disposal within the State of Kansas.

Name and Address Well Location of Applicant

Deffenbaugh Industries, Inc. P.O. Box 3220

Shawnee, KS 66203

Well Identification #1

NE¼, NW¼, NW¼, S7, T12S, R24E,

KS Permit No. Johnson County

KS-01-091-001 4760' fsl and 4460' fel from SE corner of Section

Description: The facility is a solid waste landfill. The well normally receives leachate generated at this facility.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before July 18 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-140/146, KS-97-093/095, KS-PT-97-006, KS-EG-97-013) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Eny 705 9

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 019253

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-1. Application to become a lottery retailer. (a) Persons or businesses wanting to sell lottery tickets or shares shall apply to the Kansas lottery on forms available through the lottery headquarters in Topeka or through

any lottery regional office.

- (b) Each application to become an instant and on-line lottery retailer shall be accompanied by a fee of \$150.00. All fees shall be non-refundable once a contract is fully executed and a lottery retailer certificate issued. Prior to contract execution and the issuance of a certificate, should the lottery reject or the applicant withdraw an application, the lottery shall refund all but \$50.00 of the application fee. Any applicant for an instant and on-line certificate may also apply for a certificate to sell pull-tabs without paying an additional fee.
 - (c) Instant and on-line retailers shall be subject to the

following:

- (1) Retailers are required to have dedicated telephone lines for which they will be charged \$10.00 per week.
- (2) Certain instant and on-line retailers whose businesses are seasonal, or are based at events in which Kansas lottery staff is participating, and regularly occur four or fewer days a week during the season, may qualify for cellular telephone services rather than dedicated telephone lines. There shall be no service charges for those on-line retailers selected to receive cellular telephone services available from the lottery.

(d) An applicant to become an instant and on-line lottery retailer shall actively offer for sale current instant games offered by the lottery, unless approved by the executive director as a "social environment establishment" defined at K.A.R. 11-6-1, and all on-line games offered by

(e) Each application to become a pull-tab retailer shall be accompanied by a fee of \$25.00, unless the applicant has applied to become an instant and on-line retailer and paid the appropriate fee. All pull-tab application fees shall be non-refundable.

(f) An applicant receiving a lottery retailer certificate pursuant to K.S.A. 74-8708, as amended, may apply for a temporary lottery retailer certificate, good for no more than fourteen days, at a specific location, for special lottery events and other events approved by the executive director. An application for a temporary lottery retailer

certificate shall designate the event and the specific location where tickets will be sold.

- (g) Effective April 21, 1997, all instant lottery retailers not also certified as on-line lottery retailers shall be eligible to become certified as on-line retailers without payment of the on-line application fee specified in subsection (c), although they shall be subject to the payment of line charges identified in subsection (c)(1). With the conversion to a new on-line system, all instant ticket validation terminals at instant only lottery locations will be replaced with on-line lottery terminals. All instant only retailers who wish to sell both instant and on-line lottery tickets and shares may submit an application for an instant and on-line certificate without any additional fee. As of October 5, 1997, the certificates and contracts of instant only retailers who choose not to become instant and on-line retailers shall be revoked.
- (h) No sale shall be made at any location not authorized by the executive director or his designee. (Authorized by K.S.A. 74-8708 and K.S.A. 1996 Supp. 74-8710 and implementing K.S.A. 1996 Supp. 74-8710; effective, T-88-38, Sept. 28, 1987; amended, T-88-61, Dec. 19, 1987; amended, T-111-12-1-88, Dec. 1, 1988; amended, T-111-2-28-95, Feb. 17, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)
- 111-2-59. Commission addition program. In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery may also offer the following as additional commissions to enhance the sale of all lottery

(a) The sales program will commence at 6:00 a.m. on May 1, 1997, and end at the close of the "lottery business day" of June 30, 1997. A "lottery business day" is the period from 6:00 a.m. until 1:00 a.m. which actually falls

on the next calendar day.

(b) All lottery retailers who were authorized to sell instant tickets, on-line tickets, or both as of March 1, 1997, are eligible to participate based upon an increase in their "base sales total." The "base sales total" is arrived at by computing retailers' total lottery ticket sales for May and June of 1996 for each retailer selling instant and on-line tickets during that period as compared with instant and on-line sales during May and June of 1997. For new instant and on-line retailers, starting after May 1, 1996, the "base sales total" will be the total instant and on-line ticket sales occurring between March 1, 1997, and April 30, 1997, compared with instant and on-line sales during May and June of 1997.

(c) (1) When sales increase between five percent and 9.99 percent above sales for the base period, a retailer will receive an additional one percent sales commission ap-

plicable only to the increase.

(2) When sales increase between 10 percent and 14.99 percent above sales for the base period, a retailer will receive an additional two percent sales commission applicable only to the increase.

(3) When sales increase between 15 percent and 19.99 percent above sales for the base period, a retailer will receive an additional three percent sales commission applicable only to the increase.

(continued)

(4) When sales increase 20 percent or more above sales for the base period, a retailer will receive an additional five percent sales commission applicable only to the increase. The maximum sales increase to which the five percent shall be applied is a 20 percent increase.

(d) Commissions earned pursuant to this program will be addressed in electronic funds transfers after sales increases are determined following the end of the program. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-6-9-97, April 18, 1997.)

Article 4.—INDIVIDUAL GAME RULES LENEXA BARBEQUE DRAWING

111-4-572. Name of drawing. (a) The Kansas lottery shall conduct an instant ticket drawing entitled "Lenexa BarBeQue Drawing." The date of the drawing shall coincide with the annual "Lenexa BarBeQue Championship" at Sar-Ko-Par Park in Lenexa, Kansas.

(b) The drum shall be open during lottery selling hours at the "Lenexa BarBeQue" on June 27, 1997, and June 28, 1997, until immediately prior to the drawing on June 28, 1997. Ten tickets shall be drawn at 4:30 p.m. on June 28, 1997. This drawing shall take place at the lottery selling booth at the west end of Sar-Ko-Par Park, 87th Street and Lackman, Lenexa, Kansas.

(c) Rules applicable to the "Lenexa BarBeQue Drawing" are contained in K.A.R. 111-3-1 et seq. and 111-4-572 through 111-4-578. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

111-4-574. Location of drawing. "Lenexa Bar-BeQue Drawing" shall be held at Sar-Ko-Par Park in Lenexa, Kansas on June 28, 1997. The drawing will be held at the Lottery selling location at the west end of Sar-Ko-Par Park, 87th Street and Lackman, Lenexa, Kansas. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

111-4-575. Prizes. The 10 winners selected at the "Lenexa BarBeQue Drawing" specified in subsection (b) of K.A.R. 111-4-572 on June 28, 1997, shall receive a prize of not less than \$100. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

111-4-576. Entry into drawing. Entry into the Lenexa BarBeQue Drawing" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant \$1.00 lottery ticket purchased from the lottery selling location at the "Lenexa BarBeQue Championship";

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Lenexa BarBeQue Drawing" and shall be redeemed in accordance with the

instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning the drawing and the holder of the ticket may enter the "Lenexa BarBeQue Drawing";

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a

legible manner;

(e) The holder of the non-winning ticket must take the non-winning ticket with the completed information form to the location of the "Lenexa BarBeQue Drawing" and place it in the receptacle or drum provided;

(f) The receptacle or drum shall be available and entries may be made at the times stated in K.A.R. 111-4-572. Entries shall be allowed until the actual winner selection

process begins;

(g) The holder of the ticket is not required to personally attend the "Lenexa BarBeQue Drawing" or be present at the time of the drawing to be determined a winner;

(h) The drawings will be conducted at the approximate

times listed in K.A.R. 111-4-572.

(i) There is no limit to the number of entries a participant may make. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710(b); effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

111-4-577. Determination of "Lenexa BarBeQue Drawing" winners. (a) At least 5 minutes before the drawing, the person designated by the executive director, shall announce to the audience that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the person designated by the executive director shall announce that entries into the "Lenexa BarBeQue Drawing" are closed.

No further entries will be accepted.

(c) The receptacle or drum shall be sealed and capable of being mixed with a shovel or by other means for two minutes or rotated a minimum of 10 times to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection process.

- (e) The selection of "Lenexa BarBeQue Drawing" winners on June 28, 1997, shall be accomplished by the individual designated by the executive director, using a bare arm technique, who shall remove 10 tickets, one at a time, from the receptacle or drum in which all entries were placed at approximately 4:30 p.m. A person representing the executive director and a person representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until 10 valid winners have been selected.
- (f) The named person is not required to be present in order to win the "Lenexa BarBeQue Drawing" prizes described in K.A.R. 111-4-575. The security representative conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn, but regardless of the number of entries

a person whose name appears on a valid entry drawn in the "Lenexa BarBeQue Drawing" has made, he or she shall not be eligible to win more than one prize. The first prize winning ticket drawn for such an entrant invalidates all other entries for the "Lenexa BarBeQue Drawing" for that entrant.

(g) A person whose valid ticket has been drawn from the receptacle or drum at each drawing shall be deter-

mined a "Lenexa BarBeQue Drawing" winner.

(h) Each winner shall be given a prize claim form to

be completed and returned to the lottery.

(i) If the name on any ticket drawn is not eligible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-27-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

CORPORATE WOODS JAZZ FESTIVAL DRAWING

111-4-579. Name of drawing. (a) The Kansas lottery shall conduct an instant ticket drawing entitled "Corporate Woods Jazz Festival Drawing." The date of the drawing shall coincide with the annual "Corporate Woods Jazz Festival" at Overland Park, Kansas.

(b) The drum shall be open during lottery selling hours at the "Corporate Woods Jazz Festival" on June 13 and 14, 1997, and remain open until immediately prior to the drawing on June 15, 1997. Ten tickets shall be drawn at 8:00 p.m. on June 15, 1997. This drawing shall take place at the lottery selling location west of building 40 at the "Corporate Woods Office Complex" at 109th Street and Indian Creek Parkway in Overland Park, Kansas.

(c) Rules applicable to the "Corporate Woods Jazz Festival Drawing" are contained in K.A.R. 111-3-1 et seq. and 111-4-579 through 111-4-585. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

Woods Jazz Festival Drawing" shall be held at the "Corporate Woods Office Complex" at 109th Street and Indian Creek Parkway, Overland Park, Kansas on June 15, 1997. The drawing will be held at the lottery location west of building 40. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

"Corporate Woods Jazz Festival Drawings" specified in subsection (b) of K.A.R. 111-4-579 on June 15, 1997, shall receive a prize of not less than \$100 each. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

111-4-584. Determination of "Corporate Woods Jazz Festival Drawing" winners. (a) At least 5 minutes before the drawing, the person designated by the execu-

tive director, shall announce to the audience that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the person designated by the executive director shall announce that entries into the "Corporate Woods Jazz Festival Drawing" are closed. No further entries will be accepted.

(c) The receptacle or drum shall be sealed and capable of being mixed with a shovel or by other means for two minutes or rotated a minimum of 10 times to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection process.

(e) The selection of "Corporate Woods Jazz Festival Drawing" winners on June 15, 1997, shall be accomplished by the individual designated by the executive director, using a bare arm technique, who shall remove 10 tickets from the receptacle or drum in which all entries were placed. The drawing will be conducted at 8:00 p.m. A person representing the executive director and a person representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible, if the ticket was purchased at the Kansas lottery selling location at the "Corporate Woods Jazz Festival," and if the ticket is a non-winning ticket. If the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until 10 valid winners have been selected.

(f) The named person is not required to be present in order to win the "Corporate Woods Jazz Festival Drawing" prizes described in K.A.R. 111-4-582. The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Corporate Woods Jazz Festival Drawings" has made, he or she shall not be eligible to win more than one prize. The first prize winning ticket drawn for such an entrant invalidates all other entries for the "Corporate Woods Jazz Festival Drawing" for that entrant.

(g) A person whose valid ticket has been drawn from the receptacle or drum at each drawing shall be determined a "Corporate Woods Jazz Festival Drawing" winner

(h) Each winner shall be given a prize claim form to

be completed and returned to the lottery.

(i) If the name of any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-5-20-94, May 13, 1994; amended, T-111-5-3-95, April 27, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997.)

RULES FOR INSTANT GAME NO. 86 "\$10,000 CLUBS"

111-4-1013. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled (continued)

"\$10,000 Clubs" commencing on or after April 21, 1997. The specific rules for the "\$10,000 Clubs" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1013 through 111-4-1016. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-6-9-97, April 18, 1997.)

111-4-1014. Definitions. The following definitions shall apply to the "\$10,000 Clubs" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of 10 play spots within the play area. Each game symbol for this instant game is one of the following: image of a heart - image of a spade - image of a diamond image of a club.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game is as follows:

Play Symbol **Play Symbol Caption** Image of a heart HART Image of a spade SPDE Image of a diamond DIAM Image of a club **CLUB**

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of eight varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; THN = \$200.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-6-9-1997, April 18, 1997.)

111-4-1015. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal 10 play symbols. After removing the material covering the play area, if one or more club symbols are revealed, player wins the prize amount indicted in the prize legend on the front of the ticket. Prizes shall be awarded as follows:

Amounts	Clubs
\$10,000	10
1,000	9
200	8
100	
	Ö
20 mis 20	그 교육상 및 🥦
10	*
5	3
2.	<i>Z</i> 1
	1

(Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-6-9-97, April 18, 1997.)

111-4-1016. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes Expected Number of Prizes Prizes in Game	Expected Value in Game
\$1	\$ 180,000
\$2	180,000
\$5 accepted 24,000 persons.	
\$10	180,000
\$20 carried \$9,600 carried \$1.00 carried \$1.	192,000
\$50 mm axx v 900	45,000
\$100	30,000
\$200	30,000
\$1,000 \$10,000	24,000
\$10,000	60,000
322,980	\$1,041,000
	1

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective/T-111-6-9-97, April 18,

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Gregory P. Ziemak Executive Director

Doc: No. .019248

Kansas Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, June 20, in the conference room of the Office of the State Bank Commissioner, third floor, Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend.

> Don Myer **Executive Director**

Doc. No. 019246

State of Kansas

Department of Human Resources Division of Employment

Permanent Administrative Regulations

Article 2.—UNEMPLOYMENT INSURANCE; CONTRIBUTING, REIMBURSING AND RATED GOVERNMENTAL EMPLOYMENT

50-2-25a. Electronic filing, definitions. (a) "Electronically filed document" means a "status determination report," an "employer's quarterly wage report and contribution return," or any document filed with the secretary of human resources, pursuant to chapter 44 of the Kansas statutes annotated, that is filed pursuant to these

regulations.

- (b) "Electronic filing" means the authorized electronic transmission of information required by the Kansas statutes annotated and these regulations when an employing unit or the employing unit's representative transmits to the secretary of human resources a "status determination report" or an "employer's quarterly wage report and contribution return," pursuant to chapter 44 of the Kansas statutes annotated and these regulations.
 - (c) "Filing party" means the following:

(1) the employing unit;

- (2) the employing unit's representative; or
- (3) the person authorized to make electronic filings.
- (d) "INK" means the information network of Kansas. (e) "Secretary" means the secretary of human re-
- sources. (Authorized by and implementing L. 1996, Ch. 157, Sec. 1; effective July 7, 1997.)
- **50-2-25b.** Electronic filing, authorized user. A filing may be authorized to use electronic filing upon the written authorization of the secretary or the secretary's designee and INK.

(a) The filing party shall be authorized by the secretary and INK to use electronic filing if these requirements are

met:

(1) the filing party has an account with INK; and

(2) the secretary and INK determine, after appropriate testing, that the secretary is capable of receiving, indexing, and retrieving the data transmitted by the filing party

(b) The filing party's authorization to use electronic filing may be suspended or revoked by the secretary when the secretary determines that a filing party's transmissions are incompatible with the electronic filing system or when the secretary receives notification from INK that the filing party is delinquent in making payments on its

(c) Each request for authorization to use electronic filing shall be submitted to INK. Upon receiving a request for authorization, INK shall notify the secretary. INK shall provide the requesting party with the necessary information and software or specifications to test the filing

party's electronic filing capabilities.

(d) If the filing party is authorized to use electronic filing, INK shall assign an identification number to the filing party. If the filing party will act as a representative for an employing unit, the filing party shall submit to INK a sworn statement attesting to that authorization signed by the employing unit, and INK shall assign an identification number to the employing unit. If the employing unit terminates its relationship with the filing party, the employing unit shall notify INK in writing, and its identification number shall be invalidated. (Authorized by and implementing L. 1996, Ch. 157, Sec. 1; effective July 7, 1997.)

50-2-25c. Electronic filing, contents of transmission. (a) Each transmission of one or more documents for electronic filing shall include the applicable requirements of chapter 44 of the Kansas statutes annotated and shall identify the filing party in a form approved by the secretary and INK.

(b) Each electronically filed document that requires identification of an employing unit shall contain the federal tax identification number and shall indicate whether

the debtor is an individual or another entity.

(c) When a request is made for a paper copy of an electronically filed document, the copy printed by the secretary shall include a notation stating that the document is an electronically filed document. (Authorized by and implementing L. 1996, Ch. 157, Sec. 1; effective July 7, 1997.)

50-2-25d. Electronic filing, identification of employing unit. When a regulation adopted pursuant to chapter 44 requires the name of the employing unit or the address of the employing unit, the filing party shall transmit to the secretary and INK an employing unit identification number designated by INK with each document. (Authorized by and implementing L. 1996, Ch. 157, Sec. 1; effective July 7, 1997.)

50-2-25e. Electronic filing, date of filing. (a) An electronically filed document shall be deemed to have been filed on the date and at the time the transmission is received and confirmed by the secretary.

(b) Each filing party shall be provided by the secretary, through INK, a confirmation that all transmitted documents meet the requirements of these regulations, includ-

ing the date and time of filing.

(c) Any document transmitted to the secretary that does not contain the information required by these regulations shall not be filed, and the filing party shall be provided by the secretary, through INK, with a notice that identifies the document and states the reason for rejection of the document. (Authorized by and implementing L. 1996, Ch. 157, Sec. 1; effective July 7, 1997.)

Wayne L. Franklin Secretary of Human Resources

Department of Credit Unions

Permanent Administrative Regulations

Article 5.—CREDIT UNION DETERIORATING CONDITION

121-5-1. Definitions. For the purpose of this article,

the following definitions shall apply.

(a) "Average monthly loss" means an amount equal to the loss, if any, incurred by the credit union for the measuring period divided by the number of months in the measuring period.

(b) "Credit union" means a credit union, as defined in K.S.A. 17-2231, that serves primarily natural person

- (c) "Loss," for any measuring period, means the amount, if any, by which total expenses and other charges against income exceed the total revenue of the credit un-
- (d) "Measuring period" means the last complete fiscal year of the credit union, unless the review period is less than the last complete fiscal year. If the review period is less than the last complete fiscal year, the measuring period shall be the period covered by the credit union's latest report of condition filed with the administrator, through the last day of the month preceding the month in which the calculation for determination of status under this article five is made.

(e) "Review period" means the time period specified by the administrator for which the books and records of a credit union are to be reviewed in order to determine if a credit union may be deemed to be in a deteriorating

condition, as stated in K.A.R. 121-5-2(a).

(f) "Unallocated reserves" means the aggregate of all reserves and undivided earnings, other than reserves required by K.S.A. 17-2217, plus any net income after required statutory reserve transfers for the measuring period. (Authorized by and implementing K.S.A. 1996 Supp. 17-2206(d); effective July 7, 1997.)

121-5-2. Determination of deteriorating condition.

(a) A credit union may be deemed, by the administrator, to be in a deteriorating condition when, for the measuring period, the quotient from dividing the unallocated reserves by the average monthly loss is less than 24.

- (b) Before making a determination that a credit union is in a deteriorating condition, the administrator shall send a notice to the credit union stating the provision of K.A.R. 121-5-2(a) pursuant to which the credit union may be deemed to be in a deteriorating condition. The notice shall specify a date, not less than 15 days after the date the notice is sent by the administrator, by which the credit union may provide any information or plan of corrective action for the administrator to review before making a determination that the credit union is in a deteriorating condition.
- (c) Any information provided on or before the date specified in the notice shall be considered by the administrator. Any information provided after the date specified in the notice may be considered by the administrator.

(d) After the date specified in the notice, the credit union may be determined by the administrator to be in a deteriorating condition. Such determination shall be evidenced by an order of the administrator issued pursuant to K.S.A. 1996 Supp. 17-2206(d) and amendments thereto. (Authorized by and implementing K.S.A. 1996 Supp. 17-2206(d); effective July 7, 1997.)

> John P. Smith Administrator

Doc. No. 019260

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 31.—HAZARDOUS WASTE MANAGEMENT STANDARDS AND REGULATIONS

28-31-10a. Off-site hazardous waste treatment fees. (a) Each off-site hazardous waste treatment facility shall pay fees proportionate to the quantity of hazardous waste treated, subject to the caps set forth in K.S.A. 1996 Supp. 65-3431, subsection (x). These fees shall be based upon the following schedule:

Hazardous Waste Category

Dioxin Fewer than 5,000 British Thermal Units (BTUs) per pound \$10 per ton Equal to or greater than 5,000 BTUs per pound

\$20 per ton

For the purpose of calculating these fees, these definitions shall apply.

(1) "Dioxin" shall mean hazardous wastes carrying EPA hazardous waste numbers F020, F021, F022, F023, F026, F027, or F028, or any combination of these hazardous waste numbers. "Ton" shall mean 2,000 pounds.

- (b) Payment of the treatment fees assessed under subsection (a) of this regulation shall be made quarterly. The quarterly fee shall be paid on or before the last day of April, July, October, and January for the preceding threemonth period ending the last day of March, June, September, and December.
- (c) Each treatment fee payment shall meet these requirements:

1) be made by check or money order made payable to the "Kansas department of health and environment-

attention: environmental permit fund"; and

(2) be accompanied by a form, furnished by the department and completed by the facility operator. The form shall state the total weight of hazardous wastes treated during the reporting period and shall provide sufficient information to verify findings that a treatment process qualified as material or energy recovery. (Authorized by and implementing K.S.A. 1996 Supp. 65-3431; effective April 6, 1992; amended July 7, 1997.)

> Gary R. Mitchell Secretary of Health and Environment

Kansas Bureau of Investigation

Permanent Administrative Regulations

Article 20.—MISSING PERSONS; UNIDENTIFIED DECEASED PERSONS

10-20-2. Forms for reporting. Law enforcement agencies shall report missing persons or unidentified deceased persons on either the national crime information center's (NCIC) report form or the Kansas incident-based report form. (Authorized by and implementing K.S.A. 75-712b; effective May 1, 1986; amended July 7, 1997.)

10-20-3. (Authorized by and implementing K.S.A. 75-712b(d)(1); effective May 1, 1986; revoked July 7, 1997.)

10-20-4. Dissemination. Local law enforcement, public and private agencies, or members of the public may request data from the missing persons system at any time. (Authorized by and implementing K.S.A. 75-712b; effective May 1, 1986; amended July 7, 1997.)

Larry Welch Director

Doc. No. 019258

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, August 20, in Conference Room D, SRS Staff Development, 300 S.W. Oakley, Topeka State Hospital grounds, Topeka, to consider the adoption of amended changes to existing rules and regulations on a permanent basis effective October 1, 1997. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to or during the hearing to Hope Burns, Office of the Secretary, Department of Social and Rehabilitation Services, Docking State Office Building, Room 603-N, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views; it may be necessary to request each participant to limit any oral presentation to five minutes.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns at (913) 296-3969.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 9 a.m. August 25 in the SRS executive conference room, 603-N,

Docking State Office Building. Telephone conference will not be available.

A summary of the proposed regulations and the economic impact follows. The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-35. Application process. This regulation is being amended to change the application processing time to 30 days from the date the agency receives a signed application.

Economic Impact: This change is not expected to have any discernable economic impact.

30-4-39. Responsibilities of applicants and recipients. This regulation is being amended to remove the requirements for reporting of changes of circumstances within 10 calendar days of the change. This complies with changes previously made to K.A.R. 30-4-35.

Economic Impact: This change is not expected to have any discernable economic impact.

30-4-40. Agency responsibility to applicants and recipients. This regulation is being amended to require release of confidential information concerning the reporting of a person's name, address, and other identifying information to the Immigration and Naturalization Service when the agency knows the person is residing unlawfully in the United States.

Federal Mandate: This change is required by Section 411 A of Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL. 104-192).

30-4-52. Act in own behalf. This regulation is being amended regarding a minor's ability to act in his or her own behalf. Unless emancipated based on age and marital status or based on court action, a minor shall not be deemed capable of acting in his or her own behalf and must reside with a qualifying caretaker to be eligible for assistance except in limited circumstances.

Federal Mandate: This change is required by Section 408 of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA),

Economic Impact: This change is expected to result in decreased expenditures of \$534,332 (\$133,608 state general funds) on an annual basis.

Bearer of Cost: None Affected Parties:

- 1. This change will have minimal administrative impact on SRS staff.
- 2. Approximately 168 teens may be impacted by the change such that they lose eligibility for assistance until residence is established with a caretaker.

Other Methods: No other methods were considered as this change is mandated by federal law.

30-4-70. Eligibility factors specific to the TANF program. This regulation is being amended to revise the definition of a child to include a child who is age 18 and in (continued)

secondary school or working towards the attainment of a G.E.D.

Economic Impact: This change is not expected to have

any discernable economic impact.

This regulation also is being amended to remove reference to persons who are ineligible due to the receipt of a lump sum payment as it relates to persons whose needs are excluded in determining eligibility. Lump sum income is now exempted per K.A.R. 30-4-113.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-4-90. Eligibility factors specific to the GA program. This regulation is being amended to revise the criteria related to persons whose needs are to be excluded in determining eligibility. Reference to persons who are ineligible due to receipt of lump sum income has been removed as such income is no longer counted per K.A.R. 30-4-113. Reference has been added for persons denied assistance based on the provisions of K.A.R. 30-4-50 (c) or (d).

Economic Impact: This change is not expected to have any discernable economic impact.

30-4-96. Funeral assistance (FA) program. This regulation is being amended to clarify that eligibility for assistance shall be based on the assets of the family group as of the calendar month of death when the decedent was a child under age 21 and living with his or her parent at the time of death.

Economic Impact: This change is not expected to have any discernable economic impact.

30-4-106. General rules for consideration of resources, including real property, personal property, and income. This regulation is being amended to delete the provision for counting a portion of monies voluntarily contributed by a household member who is not part of the mandatory filing unit. Such monies shall now be counted in full. Other technical changes have been made.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-4-107. Property exemption. This regulation is being amended to increase the allowable resource standard in the cash assistance programs from \$1,000 to \$2,000.

Economic Impact: This change is not expected to have

any discernable economic impact.

This regulation is being further amended to remove the provision for providing up to nine months of assistance if an applicant or recipient is attempting to dispose of excess real property.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-4-109. Personal property. This regulation is being amended to exempt the cash value of any life insurance policy.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-4-112. Income exempt from consideration as income and as a cash asset. This regulation is being amended to make a technical change in wording by replacing reference to coupon allotments for food stamps with reference to benefits provided.

Economic Impact: None.

30-4-113. Income exempt as applicable income. This regulation is being amended to clarify that the interest income exemption shall not exceed \$50 per month per family group.

Economic Impact: This change is not expected to have

any discernable economic impact.

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-94. Reimbursement for pharmacy services. This regulation is being amended because some pharmacies are charging the maximum Medicaid allowable for pharmacy services even though this is more than their usual and customary charge. This regulation clarifies that this is a violation of the Medicaid Provider Agreement.

Economic Impact: This will be an undeterminable cost

savings due to this regulation.

Bearer of Cost: This savings will accrue to the Department of Social and Rehabilitation Services.

Affected Parties:

1. Pharmacies enrolled in the Kansas Medicaid Program that are charging more than their usual and customary charge for allowed pharmacy services. Certain pharmacies are charging the maximum of what the Medicaid program will reimburse regardless of the usual and customary charge. This regulation clarifies that this is a violation of the Medicaid Provider Agreement.

Other Methods: There were no appropriate methods that would yield the same outcome.

30-5-107. Scope of non-ambulance medical transportation services. This regulation is being amended to clarify that prior authorization is required only for non-commercial non-ambulance medical transportation services. Commercial services do not require prior authorization. This amendment makes the regulation consistent with current policy.

Economic Impact: No fiscal impact will occur as this regulation change is administrative only. This regulation change reflects the current policy on non-commercial ambulance medical transportation (NAMT). The only change to this regulation was to add the word non-commercial in front of NAMT to clarify that commercial NAMT did not require prior authorization.

Bearer of Cost: None.

Affected Parties:

1. No parties will be affected because this regulation change reflects current policy and procedures.

Other methods: There were no appropriate methods that would yield the same outcome.

Article 6.—MEDICAL ASSISTANCE PROGRAM-CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-35. Application process. This regulation is being amended to change the application processing timeframe to 30 days for non-SSI while retaining the current 45 and 90-day processing times for SSI depending on whether a disability finding is required.

Economic Impact: This change is not expected to have any discernable economic impact.

30-6-52. Act in own behalf. This regulation is being amended regarding a minor's ability to act in his or her own behalf. Unless emancipated based on age and marital status or based on court action, a minor shall not be deemed capable of acting in his or her own behalf and must reside with a qualifying caretaker, representative payee for social security benefits, or a responsible adult to be eligible for assistance except in limited circumstances.

Economic Impact: See the economic impact statement for K.A.R. 30-4-52.

30-6-77. Poverty level pregnant women and children; determined eligibles. This regulation is being amended to adjust the maximum age in the older children category to under 19 based on current federal provisions regarding coverage of this group.

Economic Impact: This change is not expected to have any discernable economic impact as it reflects current policy.

30-6-82. Technology-assisted child; determined eligibles. This regulation is being amended to increase the age range for this program to age 18.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-6-106. General rules for consideration of resources,

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including real property, personal property, and income. This regulation is being amended to delete the provision for counting a portion of monies voluntarily contributed

1-5-2

Revoked

Revoked

by a household member who is not in the plan. Such monies will now be counted in full. Other technical changes have been made.

Economic Impact: This change is not expected to have any discernable economic impact.

30-6-107. Property exemption. This regulation has been amended to remove the provision for non-SSI for providing up to nine months of assistance if an applicant or recipient is attempting to dispose of excess real property.

Economic Impact: This change is not expected to have any discernable economic impact.

30-6-109. Personal property. This regulation is being amended to exempt the cash value of any life insurance policy in the non-SSI programs.

Economic Impact: This change is not expected to have

any discernable economic impact.

30-6-112. Income exempt from consideration as income and as a cash asset. This regulation is being amended to make a technical change in wording by replacing reference to coupon allotments for food stamps with reference to benefits provided.

Economic Impact: None.

30-6-113. Income exempt as applicable income. This regulation is being amended to clarify that the interest income exemption shall not exceed \$50 per month per family group.

Economic Impact: This change is not expected to have

1-14-6

1-14-7

Amended

any discernable economic impact.

Rochelle Chronister Secretary of Social and Rehabilitation Services

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